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1653
CFW

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
17583

In Re Application Of: **John Smit**

Serial No.
09/913,414

Filing Date
December 6, 2001

Examiner
Sheridan Snedden

Group Art Unit
1653

Title: **PRODUCTION OF HETEROLOGOUS POLYPEPTIDES FROM FRESHWATER CAULOBACTER**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Revocation of Power of Attorney and Grant of New Power of Attorney and Change of Address

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-3886/RCT** as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Dated: **May 11, 2004**

Frank S. DiGiglio
Registration No. 31,346
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

I certify that this document and fee is being deposited
on **May 11, 2004** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.


Signature of Person Mailing Correspondence

Frank S. DiGiglio

Typed or Printed Name of Person Mailing Correspondence

cc: **FSD/XZ:ab**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John Smit

Examiner: Sheridan Snedden

Serial No.: 09/913,414

Art Unit: 1653

Filed: December 6, 2001

Docket: 17583

For: PRODUCTION OF HETEROLOGOUS
POLYPEPTIDES FROM FRESHWATER
CAULOBACTER

Commissioner for Patents
Alexandria, VA 22313-1450

**REVOCATION OF POWER OF ATTORNEY
AND GRANT OF NEW POWER OF ATTORNEY
AND CHANGE OF CORRESPONDENCE ADDRESS**

Sir:

The undersigned, a representative authorized to sign on behalf of the assignee owning all of the interest in this patent, hereby revokes all previous powers of attorney or authorization of agent granted in this application before the date of execution hereof. The undersigned verifies that Research Corporation Technologies, Inc. is the assignee of the entire right, title, and interest in the above-identified application, as evidenced by an Assignment recorded at Reel 012521, Frame 0670 from the inventor to the University of British Columbia (copy attached), and by an Assignment executed on January 5, 2004 from the University of British Columbia to Research Corporation Technologies, Inc. and filed in the United States Patent and Trademark Office on May 11, 2004 (copy attached). The undersigned hereby grants its power of attorney to Scully, Scott, Murphy & Presser with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith:


Frank S. DiGiglio; Reg. No. 31,346
Leopold Presser; Reg. No. 19,827
William C. Roch; Reg. No. 24,972
Edward W. Grolz; Reg. No. 33,705
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Steven Fischman; Reg. No. 34,594
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Please send all future correspondence concerning this application to the following
address:

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(516) 742-4343

Dated: May 7, 2004

By: 
Timothy J. Reckart, Esq.
Senior Vice-President & General Counsel
Research Corporation Technologies, Inc.



UNITED STATES
PATENT AND
TRADEMARK OFFICE

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OCTOBER 23, 2002

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CORRECTED
NOTICE

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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/06/2001

REEL/FRAME: 012521/0670
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
SMIT, JOHN

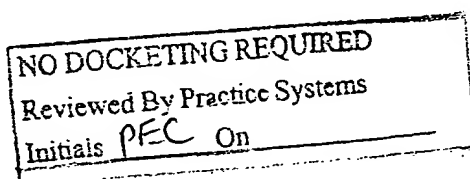
DOC DATE: 11/14/2001

ASSIGNEE:
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VANCOUVER, B.C. V6T 1Z3, CANADA

SERIAL NUMBER: 09913414
PATENT NUMBER:

FILING DATE: 12/06/2001
ISSUE DATE:

SEDLEY PYNE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



RECEIVED
OCT 31 2002
FISH & RICHARDSON, P.C.
BOSTON OFFICE

ASSIGNMENT

For valuable consideration, I, JOHN SMIT of Richmond, Canada, hereby assign to The University of British Columbia, a corporation having a place of business at:

2194 Health Sciences Mall
Room 331-I.R.C. Building
Vancouver, B.C. V6T 1Z3
CANADA

and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by me, entitled PRODUCTION OF HETEROLOGOUS POLYPEPTIDES FROM FRESHWATER CAULOBACTER, filed August 13, 2001, and assigned U.S. Serial Number 09/913,414, this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment. This assignment is effective as of August 13, 2001.

Executed at Vancouver, British Columbia
this 14th day of November, 2001
JOHN SMIT

PATENT DEED OF ASSIGNMENT

"INVENTOR" means John Smit, Wade Bingle, and John Nomellini.

"INVENTION" means the expression and presentation of proteins by the Caulobacter expression vector technology.

"APPLICATIONS and PATENTS" means U.S. Patent Application Serial No. 09/913414, filed 12/06/01; U.S. Patent Application Serial No. 09/743731, filed 1/12/01; U.S. Patent Application Serial No. 10/223597, filed 8/19/02; U.S. Patent Application Serial No. 09/379931, filed 8/24/99.

"ASSIGNOR" means University of British Columbia, an educational institution, with offices at #103_6190 Agronomy Road, Vancouver, British Columbia, Canada V6T 1Z3.

"RCT" means Research Corporation Technologies, Inc., a Delaware nonprofit corporation, having a principal place of business at 101 North Wilmot Road, Suite 600, Tucson, Arizona 85711-3365.

1. The INVENTOR made the INVENTION. Each INVENTOR has assigned his or her rights, title and interest in the INVENTION and APPLICATION and PATENTS to the ASSIGNOR, as evidenced in an Assignment recorded in the U.S. Patent and Trademark Office.

2. RCT and the ASSIGNOR are parties to an agreement under which RCT has evaluated and is now attempting to commercialize the INVENTION. As provided in that agreement, RCT is obligated to pay to the ASSIGNOR or ASSIGNOR's designee a share of the revenues generated by the INVENTION.

3. In furtherance of its obligation to RCT, the ASSIGNOR wishes to assign its entire rights, title and interest in the INVENTION and APPLICATIONS and PATENTS to RCT.

4. The ASSIGNOR hereby assigns to RCT its entire right, title and interest in:

- (a) the INVENTION;
- (b) the APPLICATIONS and PATENTS, all foreign applications and all divisional and continuation, in whole and in part, applications based on the APPLICATIONS and PATENTS;
- (c) all patents resulting from the APPLICATIONS and PATENTS and applications described in (b); and
- (d) all reissues, extensions, renewals and reexaminations of the patents described in (c).

5. This assignment shall allow RCT to file the applications described in Paragraph 4 in its own name and the name of the ASSIGNOR (but naming the INVENTORS as the inventors) in all countries of the world (where it is permissible) and the right to claim the benefit of the priority right provided by the International Convention of 1883, as amended.

6. The ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States of America to issue the entire interest to RCT in U.S. Patent No. 6,210,948; U.S. Patent No. 5,976,864; U.S. Patent No. 5,500,353; and of any additional U.S.

patents described in Paragraph 4 that may be granted.

7. The ASSIGNOR agrees to execute any further lawful documents that RCT might consider necessary to fully protect RCT's entire interest in the INVENTION and the documents described in Paragraph 4.

8. The ASSIGNOR covenants that it has not granted any right or license to make, use or sell the INVENTION to anyone other than to RCT.

9. The ASSIGNOR also covenants that it has not encumbered its right, title and interest in the INVENTION or APPLICATIONS and PATENTS, and has not, and will not, sign any document that conflicts with this assignment, except for any rights The Government of the United States of America may have in the INVENTION and APPLICATIONS and PATENTS by reason of sponsorship of research leading to the making of the INVENTION.

Signature for:
University of British Columbia

Date Jan 5/04



Printed Name David P. Jones
Associate Director
Title University-Industry Liaison

IRIS HNIK whose full postal address is 103-
6190 Agronomy Rd., Vancouver, BC V6T 1Z3
make oath and say

That I was personally present and did see DAVID JONES
who is personally known to me to be the person named in the attached Assignment, duly sign and execute the same.

Sworn before me at

VANCOUVER, BC

(city or town)
CANADA

(country)

this 5th day of January, 2004

IRIS HNIK
(Notary Public or Equivalent)

My commission expires DEC 31/04

IRIS HNIK
Barrister & Solicitor
Industry Sponsored Research
The University of British Columbia

A Notary in and for the Province of British Columbia
#103 - 6190 Agronomy Road,
Vancouver, BC V6T 1Z3
Telephone: 604-822-0362
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